

Town Meeting Member's Handbook

Prepared by:

**Joel Winett, Town Moderator
Teri S. Banerjee, Rules Committee Chair**

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Forward

The Town Moderator and the Chair of the Town Meeting Standing Committee on Rules offer a revised handbook for 2007 with changes, corrections and updates.

Note: Additions and changes since the April 2006 edition are highlighted.

Forward (to April 2003 Edition)

This document is intended to be a summary document and should not be used in place of official documents. Previous editions of the Town Meeting Member handbook have contained statements for which we could find no origin or references. One of our goals for this edition was to document the sources and statements contained within. We have also included, in appendices, a number of items that we hope will explain the procedures for the working of Town Meeting and will help Town Meeting proceed in an effective manner. We did not include the text of Chapter 143 of the Acts of 1949 establishing representative town meeting, Chapter 29 of the Acts of 1996 establishing a Selectmen-Town Manager form of government and MGL Chapter 40 dealing with cities and towns because they can be found on the Framingham town website at <http://www.framinghamma.org>

This version of the Town Meeting Handbook is the result of numerous hours of work by several members of the Standing Committee on Rules over a period of a year and half. This version is based upon the work of members of previous Rules Committees but includes major revamping and additions, especially since Framingham adopted the Town Manager Form of Government in 1996 with a supplemental change adding a Chief Financial Officer in 1998. We have tried to clarify material from the Town bylaws and Massachusetts General Laws. We have attempted to properly attribute references and sources. Understanding that this is a constant work-in-progress, we invite, even challenge you to help us find discrepancies and mistakes and add relevant material for future issues.

We hope this handbook will benefit Framingham Town Meeting Members and thus the Town of Framingham.

In light of the fact that we will have a new moderator in April, we hope that his handbook will be especially helpful for this year's Annual Town Meeting.
April 2003

Addendum 2007

In 2006 Joel Winett was elected as moderator. He has been proactive and works closely with the Standing Committee on Rules.

Introduction

Framingham was incorporated in 1700. The first Town Meeting was held and Town officers elected on August 5, 1700. A representative form of Town Meeting was established in Framingham by vote of the Town and Commonwealth of Massachusetts in 1949¹ and put into operation in 1951.

In 1996 the Selectman-Town Manager Form of Government was adopted by the registered voters of Framingham and approved by the legislature.² This act was amended last in 1998 to establish a Chief Financial Officer.³

The Town Meeting is conducted in accordance with the Statutes of the Commonwealth of Massachusetts. Laws that are applicable to all municipalities are binding on the Town and the Town must recognize the responsibilities that such laws impose. For example, the Municipal Finance Act (which spells out financial procedures for local government); fiscal autonomy of School Committees; the Zoning Act (which authorizes local control of land use); and the Public Employees Collective Bargaining Act cannot be altered by local action.

In addition, the Town operates under the bylaws passed by Town Meeting and approved by the Attorney General. The Town Meeting, guided by "Town Meeting Time,"⁴ is also conducted by votes adopted by the Town Meeting.

¹ Chapter 143 of the Acts of 1949 (Chapter 143), An Act Establishing in the Town of Framingham, Representative Town Government by Limited Town Meetings

² Chapter 27 of the Acts of 1996, (Chapter 27) An Act Establishing a Selectman-Town Manager Form of Government.

³ Chapter 27, §12 as amended by Chapter 333 of the Acts of 1998

⁴ Town Bylaws, Article II, §9.2

The Warrant

1. A warrant is a notice to all citizens of the Town of the Articles that will be acted upon by the Town Meeting.⁵ Every Town Meeting shall be called in pursuance of a warrant.
2. The warrant must state the time and place of the Town Meeting.
3. The Board of Selectmen gives notification of every Town Meeting by publication of a copy of the warrant in one issue of a newspaper of general circulation in the Town. The warrant will be published at least seven days before the date of the Annual Town Meeting and at least fourteen days before the date of a Special Town Meeting. The Chief of Police/Constable shall post copies of the Warrant in ten or more public places in the Town eight days before the date of any Town Meeting.⁶
4. Every action taken at the Town Meeting must be pursuant to an article in the warrant and must be within the scope of the article. Warrant articles are interpreted in a liberal manner and not with strictness or rigidity. However, there are limits to the scope which may be given an article.
5. Since the purpose of the warrant is to apprise the voters of the subject matter to be considered at the Meeting, the article must include a description of the subject matter that provides the voters with substantial and intelligent notice of the nature of the business to be acted upon. The article need not contain details or an accurate forecast of the precise action which the meeting will take.
6. At Town Meeting the Moderator will rule, if requested, on whether a motion comes within the scope of an article. Generally, the budget article is considered to have a broad scope and to allow discussion of every phase of a department's operations.
7. A citizen may have an article placed in the Annual Town Meeting warrant by obtaining the signatures of ten (10) registered voters and submitting said article to the Board of Selectmen. **A citizen may have an article placed in the Special Town Meeting warrant by obtaining the signatures of one hundred (100) registered voters and submitting said article to the Board of Selectmen** The sponsor must appear before the Chief Financial Officer prior to consideration of the article if any appropriation is involved.
8. No warrant can be dissolved until after all articles contained therein have been acted upon.

⁵ MGL, Chapter 39, §10

⁶ Town Bylaws, Article III, §1.4

Legislative Branch: Town Meeting⁷

1. The General Laws of the Commonwealth provide that Annual Town Meetings may be held in February, March, April or May; Special Town Meetings may be held at such times as the Selectman may order⁸. Meetings may be adjourned from time to time, and to any place within the Town⁹.
2. The Town bylaws provide that all business of the Annual Town Meeting, other than the election of officers and referendum issues, shall be deferred to an adjournment to be held on the fourth Tuesday of April thereafter. Adjourned sessions, when required, will be held on the next Wednesday and Thursday and on Tuesday, Wednesday and Thursday nights thereafter until the warrant is dissolved. At the first Tuesday session of Annual Town Meeting, or at any subsequent adjourned session, Town Meeting may, by a two-thirds vote adjourn to a future date certain; that future date must be a Tuesday, Wednesday or Thursday.¹⁰
3. The Board of Selectman may call a Special Town Meeting on its own authority. Upon submission of a petition bearing two hundred valid signatures of registered voters, the Selectman must call a Special Town Meeting. One hundred registered voters' signatures are needed to force insertion of an article in a Special Town Meeting. The signatures must be verified by the Board of Registrars.
4. The Board of Selectmen shall call a Special Town Meeting no earlier than August 1 and no later than November 1 to consider any outstanding warrant articles that may have been lawfully submitted after the close of the warrant for the Annual Town Meeting.¹¹
5. The Town Clerk is required to post notice of the time and place of adjourned Town Meeting in one or more issues of a newspaper published in Town. The Town Clerk must give immediate notice of pending reconsideration by notifying the local daily newspaper and radio station.¹²
6. The Town bylaws specify that a quorum of 80 members must be present before the Meeting can transact any business. Any Town Meeting Member within the sound of the gavel may be counted by the Moderator in ascertaining that a quorum is present. Thereafter, the Moderator is entitled to assume that a quorum is present unless and until the presence of a quorum is doubted.¹³
7. Generally the hour of adjournment shall be no later than 11:00 P.M. except that any article or motion under discussion may be carried through to a vote. Discussion on a new article should not begin after 10:30 P.M.
8. Town Meeting actions must be pursuant to an article in the warrant and must be within the scope of the article. 'Matters incidental to and connected with the article are proper for consideration and action'.¹⁴
9. There are three indispensable elements of a Town Meeting:
 - a. Town Meeting Members
 - b. Town Moderator
 - c. Town Clerk

7 Town Bylaws, Article III

8 MGL, Chapter 39, §9

9 Town Bylaws, Article III, §1

10 Town Bylaws, Article III, §1.3

11 Town Bylaws, Article III, §1.3

12 Town Bylaws, Article III, §1.5

13 Chapter 143, §6

14 MGL, Chapter 39, §10

Town Meeting Members

1. New candidates for Town Meeting must file nomination papers, signed by not less than twenty-five voters in the precinct in which the candidate resides. The papers must be filed with the Town clerk no later than five o'clock on the twenty-eighth day preceding the Annual Town election¹⁵. Town Meeting Members who desire to run for re-election do not need to obtain signatures if they notify the Town Clerk of their intent by the deadline. The Town Clerk mails forms for this purpose.
2. The Town bylaws provide that “the Annual Town Meeting for the election of officers and Town Meeting Members shall be held the first Tuesday of April” unless changed by order of the Board of Selectmen¹⁶ and that the polls shall open at 7:00 A.M. and shall remain open until 8.00 P M.¹⁷
3. The membership of the representative Town Meeting consists of twelve registered voters elected in each of eighteen precincts which results in a total membership of two hundred and sixteen.¹⁸
4. At each Annual Town election, the registered voters in every precinct elect four Town Meeting Members from their precinct for a term of three years. After every election, the Town Clerk shall notify by mail the Town Meeting Members who were elected. In the event of a vacancy, the person who received the highest number of votes as a defeated candidate for Town Meeting in the preceding election in the precinct where the vacancy occurs is then declared elected to fill the vacancy and is so notified by the Town Clerk. If this candidate cannot accept, the next person on the list is declared elected, or if no such candidate exists, the remaining representatives from the precinct elect any registered voter of the precinct to fill the vacancy¹⁹.
5. When a town meeting member moves from one precinct to another precinct, or moves from the town, and a resident of the town notifies the town clerk of the move, the town clerk shall verify that the town meeting member no longer resides²⁰ in the precinct and, after verification, shall declare the position vacant.
6. Each Town Meeting Member should provide their telephone number and email address to the Town Clerk who will post this information on the town website with the list of Town Meeting Members. This will provide a way for residents to contact the Town Meeting Member.
7. If a Town Meeting Member is not able to attend any Town Meetings he/she should resign from Town Meeting by sending a written note to the Town Clerk. This allows another person to be elected by the precinct members to represent the precinct.

¹⁵ Chapter 143, §4

¹⁶ Town Bylaws, Article III, §1.1.

¹⁷ Town Bylaws, Article III, §1.2

¹⁸ Chapter 143, §2, as amended Under Chapters 207 and 488 of the Acts of 1976

¹⁹ MGL, Chapter 143, §3

²⁰ MGL, Chapter 143, §5 as amended by the Acts of 2004

The Moderator

1. The Moderator is elected for a term of one year.
2. The powers and duties of the Moderator²¹ are to:
 - a. preside over the Town Meeting and regulate the proceedings.
 - b. decide all questions of order (see Table 1, p. 14).
 - c. make public declaration of all votes (see Voting, page 18).
 - d. appoint committees as authorized by the Town bylaws or by vote of the Town Meeting Members. The committees appointed by the Town Moderator are listed in the Appendices at the end of this Handbook.
 - e. manage the order of speakers at Town Meeting.²² Only those recognized by the Moderator may speak. The Moderator may order the removal of a person who persists in behaving in a disorderly manner (see Town Meeting Procedures, page 10).
3. If the Moderator is absent, or wishes to speak as a citizen, or has a personal interest in the outcome of an article, the Town Meeting Members will elect a temporary Moderator as a substitute for the elected Moderator.
4. The Moderator may consult with the Town Counsel on difficult legal questions. If the Moderator asks for an opinion in an open meeting, then the Moderator should be prepared to follow it.

The Town Clerk²³

1. The Town Clerk is elected for a term of three years.
2. The duties of the Town Clerk pertaining to Town Meeting are to:
 - a. be responsible for announcing the results of all town elections.
 - b. swear in newly elected Town Meeting Members.
 - c. maintain the attendance record for Town Meeting Members.
 - d. record all votes passed by the Town Meeting, as declared by the Moderator.
 - e. bind and keep one or more copies of the town reports.
 - f. furnish the various Town officers, boards and committees a copy of such actions of Town Meeting that affects them, immediately after the Town Meeting.

Executive Branch: Selectmen²⁴

1. The executive powers of the Town are vested in the five-member Board of Selectmen.
2. The Board is empowered to enforce laws and orders of the Town. The board will maintain a record of their acts.
3. The Board sets broad policy for the Town and issues statements and guidelines to be followed and implemented by all Town departments.
4. Except as otherwise provided by General Laws, the Board of Selectmen is the licensing authority of the Town.
5. The Board of Selectmen shall appoint the Town Manager and the Town Counsel. The Selectmen shall establish all boards, committees, and commissions and appoint their members except as otherwise provided by bylaw or vote of Town Meeting.

²¹ MGL, Chapter 39, §15

²² MGL, Chapter 39, §17

²³ Town Bylaws, Article II, §3

²⁴ Chapter 27, §3 and §4

The Town Manager²⁵

1. The Town Manager is the Chief Administrative Officer of the Town and acts as the agent of the Board of Selectmen.
2. The Manager is responsible to the Board of Selectmen for the proper operation of the affairs of the town.
3. The Manager, under the policy direction of the Board of Selectmen, appoints and directs all other officers of the Town.
4. The Manager is responsible for the administration of all departments and functions of the Town. The responsibilities of the Manager are defined by Chapter 27 of the Acts of 1996,²⁶ the bylaws of the Town, votes of the Town Meeting, and the votes of the Board of Selectmen.
5. The Manager may reorganize, consolidate, or abolish any Town department, office, agency or function with the concurrence of the Town Meeting.
6. In accordance with the Personnel bylaw, the Manager, with the concurrence of the Board of Selectmen, shall appoint the Assistant Town Manager, Police Chief, Fire Chief, Chief Financial Officer, and the Director of Personnel. The Town Manager shall appoint the Director of Public Works, the Director of Parks and Recreation, Director of Health, Treasurer-Collector, Town Accountant and officers and employees for which the Manager is responsible. All appointments shall be based upon merit and fitness.
7. The responsibilities and duties of the Town Manager are to:
 - a. administer and adopt personnel policies, compensation plan and related matters for all Town employees. The compensation plan is defined by the Classification Plan which is Schedule A of the Personnel Bylaw.²⁷
 - b. administer all collective bargaining agreements, except for the School and Library Departments.
 - c. establish the compensation of all Town employees and officers appointed by the Manager within the limits established by appropriation and any applicable compensation plan and or collective bargaining agreements.
 - d. negotiate all contracts with Town employees over wages and other terms and conditions of employment, except for the School Department. The Board of Selectmen must approve such contracts. The compensation pay plan must be approved by the Town Meeting.
 - e. oversee the functions and statutory duties of the Chief Procurement Officer as performed by the Assistant Town Manager
8. The Financial responsibilities of the Town Manager are delegated to the Chief Financial Officer. These duties and responsibilities are listed in the discussion about the Chief Financial Officer.

The Chief Financial Officer²⁸

1. The Chief Financial Officer (CFO) is appointed by the Town Manager with the concurrence of the Board of Selectmen for a term of three years. The CFO heads the Department of Finance. This department is responsible for the functions and statutory duties of the offices of the Town Accountant, the Town Treasurer, the Town Collector, and the Town Assessors. Their departments are divisions under the Department of Finance.
2. Responsibilities and duties of the CFO are to:

²⁵ Chapter 27, §5 through §9

²⁶ Chapter 27

²⁷ Town Bylaws, Article IV

²⁸ Town Bylaws, Article II, §19

- a. coordinate and manage the town-wide annual operating and capital budget process for all town departments, officers, boards, committees and commissions.
 - b. compile for all town departments, officers, boards, committees and commissions, their operating and capital budgets.
 - c. present budget recommendations to the Finance Committee.
 - d. present the capital budget recommendations to the Capital Budget Committee.
 - e. receive, evaluate and provide recommendations to the Finance Committee all requests for transfers from the Town's Reserve Fund.
 - f. present motions on the budget articles to town meeting.
3. Requests by the Town boards, officers, committees or citizens for insertion of articles in warrants for Town Meetings, which involve the expenditure or appropriation of money, shall be referred to the Chief Financial Officer. The Chief Financial Officer, after due consideration, shall recommend that Town Meeting approve or disapprove, in whole or in part, the expenditure or appropriation involved. Further, the CFO shall notify the board, officer or committee which submitted the request for the article, as well as the Board of Selectmen of such recommendations or suggestions.
4. When an expenditure or appropriation is sought by the Board of Selectmen for a department or matter under the control of said Board, any proposal for such expenditure or appropriation shall be submitted to the Chief Financial Officer for inclusion in the budget as herein provided. No appropriation may be made under the report of any of the Town committees unless the report has been previously submitted to the Chief Financial Officer.

Town Counsel²⁹

1. The Town Counsel is appointed by the Board of Selectmen for a term of three years.
2. The Town Counsel reviews warrant articles sponsored by boards, committees, commissions and departments of the Town after they have been approved by the Board of Selectmen. Town Counsel does not review or approve articles included on the warrant by virtue of citizen petitions, and such articles may be of doubtful legality, either in substance or in form.
3. Sponsors of warrant articles may submit, in writing, to the Town Counsel for review, motions proposed to be offered under warrant articles.³⁰
4. Access to Town Counsel by town meeting members, boards, committees and commissions may be determined by policies and procedures issued by the Board of Selectmen.
5. During Town Meeting, Town Counsel may provide legal opinions when requested from the Moderator or from Town Meeting Members when requested through the Moderator.

Supporting Cast

All town boards, committees and commission, including subcommittees are subject to the Massachusetts Open Meeting Law.³¹ which requires that all meetings must be posted and held in a public location. In addition minutes must be sent to the Town Clerk within 45 days of the meeting as stated in the town bylaws.³²

²⁹ Town Bylaws, Article II, §5

³⁰ Board of Selectmen, Policy on Access to Town Counsel, January 25, 2002

³¹ MGL, Chapter 39, §23B

³² Town Bylaw, Article I, §5.10 and §5.11

The Finance Committee³³

1. Finance Committee consists of nine members, each of whom is appointed by the Town Moderator for a term of three years.³⁴ No member of the Finance Committee shall hold any elective or other appointive town office. The members of the Finance Committee shall serve without salary. The term of the members shall commence the first day of July following their appointment. The Finance Committee shall choose its own officers.
2. The Finance Committee, working with the Chief Financial Officer, the Town Manager, the Board of Selectmen and other administration officials and town boards and committees shall:
 - a. monitor the budget process,
 - b. review all departmental budgets,
 - c. consider requests for additional appropriations outside of the regular budget process,
 - d. authorize disbursements from the Reserve Fund for emergency expenses,
 - e. develop prudent fiscal policy, and
 - f. work with the Town's auditors to facilitate the annual audit and review the results.
3. The role of the Finance Committee is largely advisory. It is the responsibility of the Finance Committee to advise Town Meeting regarding financial issues that come before it and to recommend action on warrant articles based on these issues. When appropriate, the Finance Committee can propose amendments or can make additional motions at Town Meeting. The Finance Committee is primarily concerned with the financial impact of various warrant articles. There is less focus by the Finance Committee on the political and non-fiscal aspects of these matters.
4. The Finance Committee shall make a report annually of the matters so considered by it with recommendations or suggestions relative thereto. Said report shall be published and distributed to Town Meeting Members at least 7 days before the Annual Town Meeting.³⁵
5. The Finance Committee must approve all proposed transfers from the Reserve Fund. It is also understood that the Reserve Fund should not be used to reverse a vote of town meeting or as a "backdoor" means of increasing the budget. Finance committees should adopt their own Reserve Fund guidelines to supplement the state statute, and should help other officials gain better understanding of appropriate uses of a reserve fund. The Finance Committee will include in their annual report the transfers that they approved from the Reserve Fund.³⁶
6. It is also important that the Finance Committee have a balanced approach in evaluating Reserve Fund transfers. For example, if budget reductions were made in a community despite legitimate warning that there might be trouble meeting all fiscal obligations, the Finance Committee may expect to see an increase in Reserve Fund requests. It is the committee's responsibility to keep the town's best interests in mind when deciding which Reserve Fund requests, if any, to approve.

³³ Town Bylaws, Article II, §10

³⁴ MGL, Chapter 39, §16

³⁵ Town Bylaws, Article II, §10.3

³⁶ Town Bylaws, Article ?, §?

Standing Committees

1. There are seven standing committees of Town Meeting.³⁷ Each standing committee shall consist of one town meeting member from each precinct elected by the precinct members. Each committee shall be responsible for informing itself of the activities of certain boards and departments of the Town as indicated in its description below. Each will study, hold hearings and report to the Town Meeting on those activities and upon the merits of warrant articles relating to those activities.

Standing Committee on Community Services - responsible for the Parks, Recreational and Cultural Affairs Division, the Edgell Grove Cemetery, the Community Development Block Grant Committee, Council on Aging, Human Relations, Veteran Services and Fair Housing.

Standing Committee on Education - responsible for the Library, the Framingham School Department and the Keefe Vocational School.

Standing Committee on Planning and Zoning - responsible for the Planning and Economic Development Division, the Zoning Board of Appeals, the Planning Board, the Conservation Commission, the Historical Commission, the Metro West Growth Management Commission, the Economic Development and Industrial Corporation and the Historical District Commission.

Standing Committee on Public Safety - responsible for the Police Division (with the exception of Council on Aging, Human Relations and Veteran Services), the Fire Division and the Inspection Services Division excluding the Town owned Buildings Department.

Standing Committee on Public Works - responsible for the Public Works Division and for the Town owned Buildings Department.

Standing Committee on Rules - responsible for observing the operation of Town Meeting and making suggestions on how to improve the operation.

Standing Committee on Ways and Means - responsible for the Finance Committee, the Finance Division, the Human Resources Division, the Information Services Division, the Selectmen, the Town Clerk, Town Elections, the Legal Department, the Retirement Board, Capital Budget Committee, the Permanent Building Committee and the Government Study Committee.

2. The term of Committee Members shall begin at the final adjournment of the Annual Town Meeting at which they are elected and expire at the final adjournment of the following Annual Town Meeting.
3. Within thirty (30) days following the election of Standing Committee Members, an organization meeting of each newly elected Standing Committee shall be called by the Town Clerk at which time the Committee Members shall elect a Chair, Vice Chair, and Clerk.
4. Vacancies on Standing Committees shall be filled by a Town Meeting Member from the appropriate precinct, appointed by the precinct Chair before the next Town Meeting following the vacancy.
5. A Standing Committee shall meet at the call of the Chair or of any three (3) members thereof, and at such other times as are specified in the bylaws. The quorum for such meetings shall be five in number.
6. The Town Manager shall, as soon as practicable after articles for a Town Meeting have been filed, refer each article to an appropriate committee by transmitting a copy to the chair thereof.

³⁷ Town Bylaws, Article III, §2

7. The Standing Committees shall meet following receipt of the Articles from the Town Manager, but prior to the start of a Town Meeting. They shall consider all articles within the scope of the Committee's authority and shall prepare recommendations for the Town Meeting as to the action to be taken thereon.

The Personnel Board

The Personnel Board consists of five members appointed by the Moderator. The Personnel Bylaw is available in the Town Clerk's office.³⁸

The Capital Budget Committee³⁹

1. The Capital Budget Committee consists of seven members; one member of the Finance Committee and six Town Meeting Members appointed by the Moderator.
2. The Capital Budget Committee shall consider all matters relating to proposed expenditures of money by the town for capital projects, and it may make recommendations to the Town Meeting or to any town board, officer, or committee related to such matters.
3. The Capital Budget Committee shall make a report annually of the matters so considered by it with recommendations or suggestions relative thereto and that said report shall be published and distributed as part of the annual report of the Finance Committee, at least 3 days before the Annual Town Meeting.⁴⁰

Town Boards and Officials

1. It is the duty of the chair of each board, committee or commission of the Town, elected or appointed, the head of each department, and the Town Counsel to attend throughout that part of each Town Meeting at which matters relevant to them are to be considered.
2. At Town Meeting, Town Meeting Members may pose questions to and should insist on getting answers from Town officials. If essential information is not made available, it is good parliamentary procedure to table the matter until the information is provided.
3. To save time at Town Meeting, Town Meeting Members should obtain as much information as possible beforehand, particularly by attending pre-meeting hearings, such as those held by the Personnel Board and Chief Financial Officer, by viewing sites of proposed land takings and zoning changes and reading carefully the information mailed by the Town Clerk and provided by the media.
4. All regular meetings of all Town boards, committees and commissions, elected or appointed, except the Framingham Retirement Board, Council on Aging, Cemetery Trustees and Finance Committee are required by Town bylaw to begin no earlier than 7:00 P.M. except in emergency situations. For such emergency meetings the first order of business must be the recording of the emergency nature of the meetings.⁴¹
5. All boards, committees and commissions are governed by the "Open Meeting Law".⁴² All board meetings must be open to the public and to the press unless the board votes to go into executive session. Such session may be held only for:
 - a. the purpose of discussion of the reputation, character and health of an individual,

³⁸ Town Bylaws, Article IV

³⁹ Town Bylaws, Article II, §11

⁴⁰ Town Bylaws, Article II, §11.6

⁴¹ Town Bylaws, Article I, §2.3

⁴² MGL, Chapter 39, §§23A, 23B, 23C, and 24

- b. discipline or dismissal of a public officer or employee,
- c. collective bargaining or litigation,
- d. deployment of security personnel or devices.
- e. investigation of charges of criminal misconduct or filing of criminal complaint.
- f. negotiating the acquisition of real property.

Executive sessions may also be held when required by the provisions of any state or federal law.

6. Meetings of any board which is investigating any other board or agency of Town government or any legislation which could change or alter the existing governmental structure of the Town shall at all times be open to the public and the press, notwithstanding a vote to go into executive session. Massachusetts General laws (MGL) contains specific provisions as to notice of meetings, the power of presiding officers and the remedies for noncompliance and should be part of the working knowledge of Town Meeting Members.⁴³

Town Meeting Procedures

1. The Moderator is guided by Town Meeting Time so far as it is applicable to the Town Meeting and does not conflict with the provisions of the bylaws of the Town.
2. Town Meeting may pass bylaws for the regulation of the proceedings at town meetings.⁴⁴ Standing committees and other committees of the town may propose such bylaw changes for the areas for which they are responsible. (See Appendix to Handbook).
3. No person may address the Town Meeting unless recognized by the Moderator, nor speak more than once on the same subject to the exclusion of any other who may desire to speak. Once the question has been moved, no one may address the Town Meeting except on a Point of Order, Point of Information, or Point of Personal Privilege.⁴⁵
4. Except with the consent of a majority of the Town Meeting Members present and voting, no person addressing the Town Meeting for the first time on any article shall speak for more than ten minutes, and subsequent speeches by the same person shall not exceed three minutes each, nor exceed three in number. A speaker's concise response to a question from the Moderator shall not be considered a speech.⁴⁶
5. The public is welcome at all Town Meetings. A registered voter may speak at least once on matters before the Town Meeting provided that the question has not been moved. In practice, Town Meeting has extended this right to any resident of the Town. A non-resident must get the consent of Town Meeting before speaking.
6. Town Meeting Members who expect their constituents to be present are well advised to try to acquaint them with the rudiments of Town Meeting procedure, particularly those matters dealing with the manner in which citizens are recognized to speak and the rules of decorum.

Town Meeting Etiquette

1. Persons wishing to speak at Town Meeting must be recognized by the Moderator. A Town Meeting Member seeks recognition by raising a hand or by rising and, in an orderly manner, addressing the Moderator by title, "Mr. or Madam Moderator". A registered voter seeks recognition by standing in the place designated in front of the citizens' section of the hall. If people know, prior to commencement of a session, that they wish to speak on an article, they should inform the Moderator, though this is no

⁴³ MGL, Chapter 39, §23B Open meetings of governmental bodies

⁴⁴ MGL, Chapter 40, §32

⁴⁵ Town Bylaws, Article III, §1.11

⁴⁶ Town Bylaws, Article III, §1.9.1

guarantee that they will be recognized to speak. When recognized, speakers should proceed to a microphone and state their name, their precinct, and disclose their financial interest, if any, in the article.

2. Any person who has a financial interest in the article under discussion shall make a disclosure of that interest before speaking.
3. Any person who is a spouse, parent, grandparent, child, brother or sister of a person who has a financial interest in an article shall disclose such relationship before speaking.
4. The employment of any person as an attorney, engineer, architect, land surveyor, broker, or in any other capacity by a person interested in the article under discussion, shall be disclosed before that person speaks.
5. Demonstrations of support or disapproval (clapping or booing) by citizens at Town Meeting generally are counter productive. Town Meeting Members generally extend ample opportunity to citizens who wish to speak before cutting off debate.
6. If, after warning from the Moderator, a person persists in disorderly behavior, the Moderator may order that person to withdraw from the meeting, and if that person does not withdraw, may order a constable or other person to remove that person and confine that person in some convenient place until the meeting is adjourned.⁴⁷
7. In debate, Town Meeting Members should refrain from personal references and attacks upon individual persons. It is standard procedure, as well as more courteous, if an earlier speaker is referred to as, 'a previous speaker' rather than by name.
8. Questions to previous speakers are placed through the Moderator, who may decline to place them if the Moderator believes them to be personally directed, impudent or offensive to decorum. Dialogues between two or more speakers are not permitted during debates nor is dialog between the speaker and any individual answering a question posed by that speaker other than for clarification. A speaker, when recognized, should make all of his/her points and ask all questions prior to any individual rising to answer those questions. All questions are to be asked through the Moderator, and if the speaker wishes to make a point after a question has been answered, he/she should make that information known to the Moderator before the conclusion of any remarks or questions.
9. Town Meeting Members have an obligation to attend throughout all sessions of Town Meeting. Unavoidable absences will occur but it is not appropriate for members to attend only for the purpose of having attendance recorded and to leave immediately thereafter. The Moderator must verify that a quorum is present if requested by a member.

Protocol

1. The Chief Financial Officer generally makes motions for appropriations; the Finance Committee makes recommendations for or against appropriations. The Capital Budget Committee presents Bond issues. The Planning Board presents motions regarding zoning issues. In other areas, Town Meeting members make the motions. If the sponsor of an article is not a Town Meeting member the sponsor must request a Town Meeting member to make the motion.
2. Motions should be submitted in an affirmative form. The Moderator will not permit discussion unless a motion is before the Town Meeting. A motion rather than a resolution is generally used when the meeting desires to command that a particular action to be done or not done. The Moderator may decline to accept frivolous motions or resolutions.
3. The practice has arisen of permitting Town Meeting Members to offer resolutions expressing the sentiment of the Members toward a particular matter. It is sometimes said that resolutions are not

⁴⁷ MGL, Chapter 39, §23B

"binding" on Town Officials. It is more accurate to say that resolutions are expressions of intent or desire of the meeting rather than a command to action. Resolutions must either be of a non-controversial nature such as an expression of sentiment or they must be within the scope of an article in the warrant. The Moderator will exercise discretion in deciding whether a resolution meets these standards. (See Incidental Motions, p.16)

4. Main motions and amendments must be presented to the Moderator in printed form or legible writing and signed by the maker. The Moderator will read out loud such main motions and amendments as soon as is practicable.

5. Certain motions are not debatable. These include motions to lay on the table, remove from the table, and to close debate (Move the Question). Speakers must refrain from concluding a speech with any of these motions. This practice, if allowed, would encourage attempts to have the last word or to avoid the rule against debate. A member who seeks to offer these motions must do so as soon as recognized. A speaker may give a brief statement of reasons for tabling a motion or removing a motion from the table.

Reports and Literature⁴⁸

1. A motion for an appropriation cannot be made as part of a report of any committee unless the report has been previously submitted to the Chief Financial Officer.

2. A committee that is appointed by resolution of Town Meeting, and is not a permanent committee, must report annually to Town Meeting; if no report is made within a year after appointment, the committee shall be discharged unless, in the meantime, the Town Meeting grants an extension of time for the report.

3. Any committee, board, officer, or resident of the Town may distribute literature pertinent to an article in the warrant within the Town Meeting room, provided that:

- a. the literature bears the name of a person or of a board or committee of the Town whose opinions are set forth therein.
- b. the number of the article to which the literature refers is clearly indicated at the top of the first page.
- c. any personal, professional or financial interest on the part of the resident is stated on the literature.

4. The Moderator may prohibit the distribution within the Town Meeting of any material that does not meet the above requirements. The Moderator shall announce, prior to the debate on each article, that written literature is available in the hall or was included in material sent by the Town Clerk to Town Meeting members.

5. A person or committee who wishes to make new literature available to Town Meeting Members should place the material on a table in the front of the hall designated for this purpose. Material made available for one night of Town Meeting will be segregated from new material made available for a subsequent night of Town Meeting.

6. Any committee, board, officer of the Town, or any sponsor of a warrant article may submit background material relating to an article to the Board of Selectmen at the time and in the manner specified by the Board of Selectmen for inclusion in the Warrant Background Material which shall be delivered to each Town Meeting Member not less than 14 days before the commencement of Town Meeting

⁴⁸ Town Bylaws, Article III, §1.8

Attendance

1. A record available for public inspection shall be kept by the Town Clerk. This record will show the attendance of Town Meeting Members at each Town Meeting session, or adjourned Town Meeting session. The Town Clerk is directed to publish in a newspaper of general distribution in the Town of Framingham in at least 7 point bold face type, on the last Thursday prior to the election of Town Meeting Members, the attendance record of each Town Meeting Member. Furthermore this attendance record will be published in a format arranged by precincts. Such record shall include the Town Meeting Members name, precinct, number of sessions eligible to attend, and number of sessions attended.
2. A record of attendance of Town Meeting Members shall be made a part of the Annual Town Report.
3. A Town Meeting Member's position is declared vacant when the elected Town Meeting Member does not attend any Town Meeting sessions in a calendar year for which the person is qualified. The Town Meeting Member may run again at the next annual Town election.⁴⁹

Budgets

All departments must prepare their budgets and submit them to the Boards, Committees, or the Town Manager to whom they report. All budgets must be submitted and defended before the Chief Financial Officer. The Chief Financial Officer will present the budget to the Finance Committee and will submit the recommended amounts to the Town Meeting. The Town Meeting may approve the Committee's recommendation or amend it. There are some limitations on the Meeting's actions as noted below.

Bottom-line Budgets

In addition to the bottom line budgets of the School Department, several departments of the Town have been given this budgeting authority by Town Meeting on an annual basis. This gives these department managers the flexibility to move funds between various line items of their budget.

Framingham Schools

The seven-member elected Framingham School Committee has complete control over how the appropriation for the schools will be spent. The School Committee's budget, provided to the Town Meeting, shows their planned expenditures. The Town Meeting may only approve or amend the bottom line total.

Regional Vocational School

The Vocational school, also known as Keefe Tech, is controlled by a Regional School Committee made up of members from the following five towns: Ashland; Framingham; Holliston; Hopkinton; and Natick. This sixteen member committee, eight from Framingham, two from each of the remaining four towns, determines the budget and policies of this school. The eight members from Framingham are elected. The other communities appoint two members to the committee. Each town's assessed cost is based on the actual student enrollment in the current year. Four of the five member communities have to pass the budget at their Town Meeting in order for the budget to be accepted.

Enterprise Funds

Departments operating under Enterprise Funds are: Arena, Water and Sewer.

Annual rates for the services of these departments are determined by the Board of Selectmen. In this way the users of these facilities support these services. All costs for operating these departments, including indirect costs, must be approved by Town Meeting vote. The Arena Committee must first present their

⁴⁹ Chapter 143, §5a, as amended by Chapter 338 of the Acts of 2002

budget to the Board of Selectmen. Indirect costs include services of other Town departments that support the departments operating under the Enterprise Fund, such as, Accounting, Treasure/Collector, Town Owned Buildings.

Motions

The Main Motion on a warrant article is made either by a Town Meeting Member or the Chief Financial Officer. A main motion may also be made by the Finance Committee on Articles falling within their purview.⁵⁰ A Town Meeting Member must be recognized to make an amendment to a main motion or to make any procedural motion. Only Town Meeting Members can vote on articles. Table 1 lists the motions that can be made at Town Meeting.

Table 1 - Motions

Main Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Main Motion	Yes	Yes	See Tbl 2	Yes	No
Reconsider a Previous Vote	Yes	No	2/3	No	No
Remove from Table	No	No	Majority	No	No
Advance an Article	No	No	Majority	Yes	No

Subsidiary Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Amendments to Main Motion	Yes	Yes	Majority	Yes	No
Lay on the Table	No	No	2/3	Yes	No
Lay on the Table to a Date Certain	Yes (date only)	Yes (date only)	Majority (date only)	Yes	No
Move the Question	No	No	2/3	No	No
Indefinitely Postpone	Yes	No	Majority	Yes	No
Refer Back	Yes	No	Majority	Yes	No

Incidental Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Point of Order	No	No	None	No	Yes
Appeal Decision of Moderator	Yes	No	Majority	Yes	No
Divide the Question	Yes	Yes	Majority	Yes	No
Separate Consideration	Yes	Yes	Majority	No	No
Withdraw or Modify a Motion	No	No	Majority	No	No
Suspension of Rules	No	No	2/3	No	No
Resolutions	Yes	Yes	Majority	Yes	No

Privileged Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Dissolve the Warrant	No	No	Majority	No	No
Adjourn to a Fixed Time	Yes	Yes	2/3	No	No
Doubt the Quorum	No	No	None	No	No
Point of Personal Privilege	No	No	None	No	Yes
Point of Information	No	No	None	No	No

⁵⁰ Article II, §10.7

Main Motions

This is a proposition (request) that something be done. It is the foundation upon which all other motions rest. The subject of the Main Motion and of amendments to it must be within the scope of the article under which the motion is made for the reasons stated in the section ("Warrant", page 1). The Main Motion can be amended and is debatable. Amendments require a majority vote and are voted on before the Main Motion. The Main Motion usually requires a majority vote but by law some motions require a 2/3 or 4/5 or other vote. See Table 2 - Number of Votes to Pass a Motion (p.18).

Subsidiary Motions

Amendments to a Main Motion: Amendments may consist of adding, deleting, or substituting words in a motion. It may take the form of a motion to substitute a different motion, but a motion to substitute is still a motion to amend and is dealt with as such. Amendments may be debated and require a majority vote. Two or more amendments to the main motion may be permitted. The Moderator may limit the number of amendments to keep matters from getting too complicated. However, a previous moderator "always found a way to accommodate them. A careful explanation to Town Meeting of what is before them in the way of amendments is a better way of handling numerous amendments than to ban them outright. The Moderator also occasionally will point out that a proposed amendment, while different in language, may be duplicative of one already offered."

Lay on the Table (Table): To place the matter aside temporarily for various reasons; e.g., to give a committee more time to provide information that has been requested. The maker may give a brief statement of the reason why the matter should be tabled. The Moderator is expected to see that the statement is both brief and to the point.

Example: "I move to table Article #44."

A motion to "Lay on the Table"; cannot be debated and requires a 2/3 vote. This motion may be subject to certain conditions, such as to Table to a date certain.⁵¹ The date is debatable and may be amended by a majority vote. Don't overload the Table. The subject matter must be disposed of sometime before the warrant is dissolved.

Move the Question: To close debate and force a vote on the motion cannot be debated or amended and requires a 2/3 vote. Before Town Meeting votes to terminate debate the Moderator may ask for a show of hands from those still wishing to speak. This is solely for the information of Town Meeting Members who may vote against terminating debate if they wish to hear additional speakers.

Example: "I move the question."

Indefinitely Postpone/Refer Back: Equivalent to voting against a motion. Postpone Indefinitely is voted before amendments to the motion are considered.

Example: "I move the subject matter of Article #10 be Indefinitely Postponed."
or "I move the subject matter of Article #20 be Referred Back to sponsor."

Either motion does the same thing; except in zoning articles. If an article dealing with zoning is Indefinitely Postponed, it may not be brought back to the Town Meeting for two years unless it is approved by the Planning Board.

⁵¹ Town Bylaws, Article 3, §1.17, 2004

Example: If the main motion is amended to Indefinitely Postpone, and you are opposed to the main motion, then you vote YES to the motion to Indefinitely Postpone.

A motion to Refer Back can be to the sponsor or a committee. This is used when further information or study is desired, or to delay actions.

Example: "I move that the subject matter of Article #51 be referred to the Park Department for further study.

Incidental Motions

Point of Order

A Town Meeting member shall have the right to raise a 'point of order' having to do with Town Meeting protocol. For example, a town meeting member may request that the moderator inquire whether the speaker has an interest in the article.. As another example, when the moderator is ready to proceed with the next article, a town meeting member may point out that we have voted on the amendment(s) but not the main motion. Other situations where a 'point of order' may be raised include: separate the motion, vote by paragraph (e.g. street acceptances), divide the question, appeal the decision of the moderator.

Resolutions

Resolutions express the sentiments of the members toward a particular matter. Resolutions are not binding. It is more accurate to say that resolutions are expressions of intent or desire rather than commands to action. Resolutions must be of a non-controversial nature such as an expression of sentiment. The moderator will exercise discretion in ruling whether a resolution meets the standards.

If a substantive issue arises that has relevance to an article, a resolution should be presented as a motion when the article is being discussed. If there is no relevant article in the warrant, the proponent may file an article for the next Town Meeting.

Privileged Motions

Doubt a Quorum:

The Moderator may do this by calling the roll of members in attendance or causing a count to be made. A request for a quorum has priority over any other business but will not be recognized between the time a motion is put to a vote and the time the result is announced. All business transacted prior to determination that a quorum is lacking is presumed to have been done in the presence of a quorum.

Point of Personal Privilege:

A Town Meeting Member shall have the right to raise a "point of personal privilege" and be allowed to make a personal statement as to the comforts and convenience of the members,⁵² for example, calling the moderator's attention to noise which prevents the speaker from being heard, or by saying something like "Please repeat the motion; we could not hear you."

Point of Information:

A Town Meeting Member shall have the right to raise a "point of information" and be allowed to state that the motion is confusing and needs to be clarified.

⁵² Town Meeting Time, p.119

Motion for Reconsideration⁵³

1. A motion to reconsider a vote on any question shall be in order if any one of the following four conditions is met:
 - a. If the motion is made during the session the original vote was made. Debate and a vote on the motion however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion are tabled to the first order of business of a definite designated session.
 - b. If the motion is made with seventy-five percent consent of all Town Meeting Members present at any session after the session at which the original vote was taken. Debate and a vote on the motion, however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
 - c. If the motion is made after the session the original vote was taken, provided written notice of such intention was given to the Town Clerk on the day after the original vote. The Town Clerk shall give immediate notice of pending reconsideration by notifying the local daily newspaper. Debate and a vote on the motion made under this condition shall be taken on the motion when made, at the first session following such publication; unless by a majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
 - d. If in the case of a final session a motion is made for reconsideration of any matter previously voted during the same session or during a session on the immediately preceding day. However, a debate and a vote on this motion may be taken only after all other articles have been acted upon unless, in the Moderator's discretion, debate and a vote on the motion at any other point in the session would expedite the conduct of Town Meeting.
2. Debate for or against reconsideration will be limited by the Moderator to discussion as to why reconsideration should or should not prevail.
3. The duration of each speech shall not exceed three minutes; however, any registered voter not a Town Meeting Member may speak at least once for a maximum of three minutes but not more than once unless permitted by the Town Meeting Members. Any one speaking a second time shall not exceed one minute.
4. A motion to reconsider must be passed by a two-thirds vote.
5. Only one motion for reconsideration on any separately voted question shall be accepted by the Moderator whether such motion does or does not prevail.

⁵³ Town Bylaws, Article III, §1.6

Voting⁵⁴

1. The number of votes to pass a motion, as amended, is indicated in the chart below:

Table 2 - Number of Votes to Pass a Motion

Motion Type	Vote
Appropriation	Majority
Bylaw	Majority
Zoning	Two-thirds
Bond Issue	Two-thirds
Eminent Domain	Two-thirds (unless the purpose is one which allows a majority vote, including no appropriation of funds.)
Unpaid bills of previous years Annual Town Meeting	Four-fifths
Unpaid bills of previous years Special Town Meeting	Nine-tenths
All other motions	Majority

2. All Town Meeting votes are of the members present and voting. A vote of "Present" is not considered to be a vote for this purpose.
3. No vote of Town Meeting, except a vote to adjourn or authorize the borrowing of money in anticipation of the receipt of taxes for the current year, becomes operative until the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the warrant for the Meeting. If within the five days, a petition signed by not less than five percent of the registered voters is filed with the Selectmen asking that the question or questions involved in such vote be submitted to the voters, the Selectmen must call a referendum and submit the question to the voters in substantially the same language and form as presented to Town Meeting.

Order of Voting

Subsidiary motions, pertaining to a main motion, are put to a vote before the main motion and any amendments thereto. The Moderator will state the order in which motions will be voted prior to commencement of voting. Generally the order will be as follows:

1. To indefinitely postpone.
2. To refer to a committee.
3. To refer back to the sponsor.
4. To amend the main motion. If more than one amendment involving dollar amounts is pending the amendment carrying the higher amount will be placed first.
5. Vote on the main motion as amended.

Manner of Voting

The Moderator shall call for the vote when there is no more discussion on an article or when a Town Meeting Member has moved the question (called for a vote). Voting is generally by a show of hands.. If the Moderator is in doubt about the result from a show of hands, he/she shall call for the vote again and request tellers to verify the vote. When a vote requires more than a majority to pass, a counted vote is required.

⁵⁴ Town Bylaws, Article III, §1.7

Voting on the Budget

For the last several years, Town Meeting has voted a bottom line budget by division. Within each division, the department budgets are read line by line (Personnel, Operating Expenses). Any Town Meeting Member who wishes to ask a question or have some discussion on a particular item will call out “pass” when that item is read. After all the items are read for the current department, the moderator will ask for those who want to speak on the passed items. When all passed items have been disposed of, the reading of the budget proceeds to the next department budget. When all department budgets in a division have been discussed, the moderator will take a vote on the division budget.

Doubting the Vote

If a Town Meeting Member doubts the announced vote from a show of hands, the Member must do so before the next item of business is commenced. The Moderator will then ask if seven members doubt the vote. If a sufficient number arise, the count is taken again with the tellers verifying the vote.

Recorded Votes

1. A recorded vote will be taken when:
 - a. a motion is supported by not less than 20 members made prior to a vote on any question (Ballot).
 - b. immediately after a vote is taken, a request is made and supported by 40 members (Roll Call).
2. A Ballot vote shall be taken in such form as will indicate how individual Town Meeting Members have voted on a question. To cast a ballot the Town Meeting Member must be present. All ballots must be signed to be valid. (see Appendix 1 – Procedure for Town Meeting Ballot Vote).
3. A Roll Call vote shall be taken by the Town Clerk, who shall call the names of each Town Meeting Member who has signed in. To vote, the Town Meeting Member must be present. (see Appendix 2 – Procedure for Town Meeting Roll Call Vote).
4. After the vote is tallied, the Moderator will announce the vote giving the number of ayes, nays and abstentions. Within a reasonable time after the session in which the vote was taken, the Town Clerk shall post a list disclosing how each member voted. Said list, together with the original ballot where applicable, shall be open to public inspection. These documents will be preserved for at least 3 years.

Precinct Officers

A meeting of the Town Meeting Members from each precinct shall be held during the Annual Town Meeting for the purpose of electing a Chair, Vice-Chair, and Clerk. In addition one member from the precinct will be elected to each Standing Committee. Within seven (7) days after this meeting, the Chair shall notify the Town Clerk of the names of all persons so elected. The term of Committee Members shall begin at the final adjournment of the Annual Town Meeting at which they are elected and expire at the final adjournment of the following Annual Town Meeting.⁵⁵

The following list of duties and obligations for the Precinct Chair, Vice-Chair, Clerk and Annual Top Vote-Getter, has been prepared by the Rules Committee.⁵⁶

Top Vote Getter

If the Precinct Chair and Vice Chair are not re-elected as Town Meeting members at the annual election, the Town Meeting Member with the highest votes acts as chair for the election of a new Precinct Chair when the organizational meeting is scheduled by the Town Moderator.

⁵⁵ Town Bylaws, Article III, §2.2

⁵⁶ This § is consistent with and implements the vote of Town Meeting taken on Article #51 of the 1971 Annual Warrant.

Precinct Chair

1. The incumbent Precinct Chair will run a meeting of all the precinct representatives for the purpose of electing a new Precinct Chair when the organizational meeting is scheduled by the Town Moderator.
2. The Precinct Chair will preside over the election of the vice-chair, clerk, and standing committee members. The Precinct Chair shall notify the Town Clerk of the individuals so elected.
3. The Precinct Chair shall advise and inform precinct members of meeting times and places prior to the election of candidates to the various precinct-elected positions for the purpose of filling vacancies.
4. The Precinct Chair shall appoint a Town Meeting Member from the precinct to fill any vacancies on Standing Committees before the next Town Meeting following the vacancy.

Precinct Vice-Chair

1. The Precinct Vice-Chair shall preside over the precinct meeting in the absence of the Precinct Chair. The incumbent Vice-Chair shall preside over the annual re-election procedures in the absence of the incumbent Precinct Chair.
2. The Precinct Vice-Chair shall assume the responsibilities of Precinct Chair upon the vacancy of that office.

Precinct Clerk

The Precinct Clerk shall record the attendance at the precinct meetings.

Precinct Meetings

1. Precinct meetings may be held when:
 - a. there is a particular Town article or issue pertinent to the precinct. (e.g., zoning changes, street acceptances.)
 - b. an election needs to be held to fill a town meeting member vacancy from the precinct.
2. The Annual top vote-getter will preside over precinct meetings in the absence of both the Precinct Chair and the Precinct Vice-Chair.

Glossary

100% Valuation Classification

Taxable property is required by law (passed in 1979) to be determined at its full and fair cash value prior to the use of classification. After determining full valuation, the local Assessors with approval of the Board of Selectmen will assign a fair and reasonable percent of full value for residential properties. The state law requires property valuations to be updated every two (3) years and allows the Town flexibility in determining realistic residential and commercial assessment percentages.

Bond

Municipal bonds are issued by a municipality for large capital expenditures such as schools or other buildings. With certain exceptions, including school bonds approved by the State Finance Office, a municipality's total borrowing may not exceed 5% of its total assessed valuation. The period within which the bonds must be retired varies according to the type of improvement involved.

Bond Anticipation Note (BAN)

Short-term interest-bearing notes issued by a government in anticipation of bonds to be issued at a later date. The notes are retired from proceeds from the bond issue to which they are related.

Capital Improvement Plan (CIP)

Sometimes referred to as a capital improvement program, is a financial planning and management tool which identifies public facility and equipment requirements, places these requirements in order of priority, and schedules them for funding and implementation.

Capital Project

Major non-recurring expenditure involving one or more of the following:

- a. acquisition of land for a public purpose,
- b. construction of or addition to a facility such as a public building, water or sewer lines, play field,
- c. rehabilitation or repair of a building, facility, or equipment; provided the cost is \$25,000 or more and the improvement will have a useful life of 5 years or more,
- d. purchase of equipment costing \$25,000 or more, with a useful life of 5 years or more including any planning, engineering or design study related to an individual capital project.

Chapter 367

A state law providing School Funds and State Aid for Public Schools collected principally through the sales tax and reimbursed to the towns and cities in proportion to the amount of money spent for education.⁵⁷

Chapter 70 Funds

Funds received by the Town from the State to assure fair and adequate minimum per student funding for public schools⁵⁸.

Chapter 766

A state law requiring municipal school systems to identify and evaluate the needs of children for special education and to provide facilities and transportation for children enrolled in Special Needs programs.⁵⁹

⁵⁷ Acts of 1978, Chapter 367, §70C

⁵⁸ MGL. Chapter 70, §1

⁵⁹ Acts of 1972, Chapter 766, amended by Acts of 1978, Chapter 367, §70K

Chapter 90 Funds

The Commonwealth allocates funds to municipalities, through the Transportation Bond Issue, for highway construction, preservation and improvement projects that create or extend the life of capital facilities.⁶⁰ Routine maintenance operations such as pothole filling and snow and ice removal are not covered. The formula for determining the Chapter 90 level of funding is based on a municipality's miles of public ways, population and level of employment. Municipalities only receive Chapter 90 funds on pre-approved projects on a reimbursement basis. The reimbursement rate for such projects that are approved by the state and eligible for these funds has been at the rate of 90% in recent years.

Cherry Sheet

This is a cherry red form which shows all of the State and County charges and reimbursements to the Town as certified by the State Director of Accounts. These figures must be used when calculating the tax rate.

Debt Exclusion

Results in a temporary increase in a municipality's levy limit (and possibly the levy ceiling) when a municipality's voters elect to exclude the payment of particular debt service from the constraints of Proposition 2 1/2. The debt service is then added to the levy limit for the life of the debt only. To place a debt exclusion question on the ballot requires a 2/3 vote of the entire Board of Selectmen. A simple majority vote by the voters is required for passage.

Debt Limit

This is the maximum amount of borrowing allowed by state law for certain purposes (i.e., sewer construction, land acquisition, street construction, and construction of public buildings). This limit is 5% of the average of three years assessed valuation of the taxable property in the Town. State law provides for borrowing outside the limit for special purposes (i.e. for temporary loans, construction of certain large water mains, emergency loans, and construction of reservoirs, filter beds and standpipes).

Debt Service

The amount paid annually to cover the cost of both principal and interest on a debt issuance until its retirement.

Emergency Winter Related Expenditures

When appropriations of snow and ice removal are exhausted, finance committees - in concert with their selectmen or town managers - must vote to incur "liability and make expenditure in excess of appropriations."⁶¹ Expenses in excess of the appropriation must be raised in the tax levy for the next fiscal year. However, in order for this option to be available, towns must have appropriated at least the same amount for snow and ice removal as in the prior fiscal year.

Enterprise Fund

A municipal fund established for the operation of a municipal utility, health care, recreational, or transportation facility whereby the operations are fully funded by the fees associated with that enterprise vs. the tax levy. The "surplus" or retained earnings generated by the operation of the enterprise remain with the fund to offset future capital improvements, extraordinary maintenance expenses, or to reduce future fees and charges of the fund.

Fixed Assets

Assets of a long-term character which are intended to continue to be held or used, such as land, building, improvements other than buildings, machinery, and equipment.

⁶⁰ MGL, Chapter 90, §34

⁶¹ MGL, Chapter 44 §31C

Free Cash

This is the amount of money left after all prior year's uncollected taxes have been deducted from surplus revenue. The State Bureau of Accounts annually certifies this amount. Free Cash is also referred to as Available Funds. (See also Unreserved Fund Balance).

Full Faith and Credit

A pledge of the general taxing power for the payment of debt obligations. Bonds carrying such pledges are referred to as general obligation bonds or full faith and credit bonds.

General Obligation Bonds

Bonds for the payment of which the full faith and credit of the issuing government are pledged.

Infrastructure

The underlying foundation or basic framework of an organization or system- e.g., roads, bridges, buildings, land, natural resources.

Lease-Purchase Agreements

Contractual agreements which are termed "leases", but which in substance amount to purchase contracts in which an outside party provides financing.

Levy Limit

Property tax levy limits, used in twenty-seven states, constrain the total amount of revenue that can be raised from the property tax. In Massachusetts, the levy limit is governed by Proposition 2 1/2.

Note Payable

In general, an unconditional written promise signed by the maker to pay a certain sum in money on demand or at a fixed or determinable time either to the bearer or to the person designated therein.

Overlay Account. This is the amount of money raised by the Assessors over and above the appropriations to create a fund used for statutory and property abatements.

Overlay Reserve. This is an accumulation of unused overlay funds not required for abatements. These funds may be used for unforeseen expenses or voted into the Reserve Fund at the Annual Town Meeting.

Override

Results in a permanent increase of a municipality's levy limit (but not the levy ceiling) when the majority of voters in a municipal election approve such an override. The override amount becomes part of the levy base when setting the next year's levy limit. To place an Override question on the ballot requires a majority vote of the Board of Selectmen. A simple majority by voters is required for passage.

Pay-As-You-Go

A term used to describe the financial policy of a government which finances all of its capital outlays from current revenues rather than by borrowing. A government which pays for some improvements from current revenues and others by borrowing is said to be on a partial or modified pay-as-you-go basis.

Pay-As-You-Use

A term used to describe the financial policy of a government which finances its capital outlays from borrowing proceeds and pays for capital assets over their useful life.

Public Law 874 Funds

Reimbursements to the Town by the Federal Government to help offset the cost of educating dependents of military families in Framingham.

Proposition 2 1/2

Massachusetts, effective July 1, 1981, limits municipal property taxes to 2.5 percent of full and fair cash value (the levy ceiling); limits the amount of revenue a municipality can raise through property taxes (the levy limit), which increases by 2.5 percent each year, plus a factor for new growth. A municipality may exceed its levy limit in two ways: by voting an override or by voting for debt exclusion.

Reserve Funds

Town Meeting can appropriate money to be placed into a Reserve Fund to provide for extraordinary or unforeseen expenditures⁶². It can be made up of an appropriation not exceeding 5% of the prior year's tax levy or transfers. Transfers from the Reserve Fund are controlled exclusively by the Finance Committee and are generally used for unforeseen expenses. The Department of Revenue has expressed its opinion that Reserve Funds are appropriate to:

- a. provide for urgent of unforeseen expenditures that could not have been anticipated before town meeting; and/or
- b. allow immediate expenditures of funds in the event of an emergency (threat to public safety or health) when the delay of having to call a special town meeting could be potentially harmful.

Revolving Funds

Towns are permitted to raise revenue from selected services or programs and use those funds to support said services or programs. This type of appropriation is referred to as a "revolving fund." Once monies are raised and designated for a revolving fund, the selectman and the finance committee must determine and approve the exact amount that may be spent during the fiscal year⁶³. Town meeting each fiscal year must reauthorize revolving funds; if not, remaining balances may be transferred to another departmental revolving fund or to the general fund.

Stabilization Fund

A stabilization fund is a special reserve funds account⁶⁴. An annual appropriation to such fund must be raised in the preceding fiscal year; and the aggregate amount in the fund shall not exceed ten percent of the equalized valuation. The treasurer shall be custodian of the fund and may invest the proceeds legally; any interest earned shall remain with the fund. An appropriation to the Stabilization Fund requires a two-thirds vote of Town Meeting. The appropriation may be used for any lawful purpose, but the monies appropriated to a stabilization fund cannot be earmarked.

Tax Rate

The total amount to be raised in the fiscal year by local taxation in relation to the total assessed valuation of taxable property in the Town.

Unreserved Fund Balance

A community's unrestricted available funds that may be used as a funding source for appropriations. Unreserved Fund Balance is generated when the actual operating results compare favorably with the budget. It can only be used after the certification process by the Department of Revenue is complete. For example, the July 1, 1997 certified amount may be used to fund supplemental appropriations voted during fiscal year 1998, or applied as a revenue source to support the fiscal 1999 budget voted in the spring of 1998. (See also Free Cash).

62 MGL. Chapter 40, §6

63 MGL. Chapter 44 §53E½

64 MGL. Chapter 40, §5B

References

“Town Meeting Time” - A Handbook of Parliamentary Law, Johnson, Trustman, Wadsworth, Little Brown E Co.
1962 Revised 1984.

Chapter 143 of The Acts of 1949.

Chapter 27 of the Acts of 1996

MGL, Chapter 39, Municipal Government

Town of Framingham Bylaws

Appendix 1 – Procedure for Town Meeting Ballot Vote

Before a vote on an article is taken, a Town Meeting Member may rise and request a ballot vote. If 20 Town Meeting Members rise to concur with this request, a ballot vote is taken. The procedure for conducting a ballot vote is as follows:

1. The Town Clerk distributes 50 ballots to the tellers in each section where Town Meeting Members sit (there are, on average, 36 members in each of the 6 sections).
2. The tellers distribute one ballot to each Town Meeting Member in their section and return the remaining ballots to the Town Clerk who determines how many ballots were distributed.
3. The Town Moderator announces the vote being taken with the article number.
4. The Town Moderator asks that all those who wish to vote in the affirmative to write the article number (and date) on the ballot and sign the portion of the ballot marked YES. All those who wish to vote in the negative write the article number (and date) on the ballot and sign the portion of the ballot marked NO.
5. One teller in each section collects the YES ballots and counts them.
6. One teller in each section collects the NO ballots and counts them.
7. The Town Moderator calls the tellers in each section for their counts.
8. The tellers give the ballots to the Town Clerk.
9. The Town Clerk later records the names and vote of each person voting. This information is available from the Town Clerk's office and reported in the Town report. The Town Clerk keeps the ballots for two years.

Appendix 2 – Procedure for Town Meeting Roll Call Vote

After a vote on an article has been taken, a Town Meeting Member may rise and request a roll call vote. If 40 Town Meeting Members rise to concur with this request, a roll call vote is taken. The procedure for conducting a roll call vote is as follows:

1. The Town Clerk obtains from the checkers the list of Town Meeting Members who have checked in.
2. The Town Moderator announces the vote being taken.
3. The Town Clerk calls the name of each Town Meeting Member who has checked in. When his/her name is called, the Town Meeting Member responds aye, nay or abstain. The Town Clerk records the vote or indicates that the Town Meeting Member was not present. The names of Town Meeting Members are called in order by precinct.
4. Upon completion of the roll call, the Town Clerk asks if any Town Meeting Member is present who has not voted.
5. The Town Clerk then tallies the counts and reports the totals to the Moderator.
6. The Town Clerk keeps the roll call information for two years. This information is available from the Town Clerk's office and reported in the Town report.

Appendix 3 – Guidelines for Presenting Warrant Articles

The sponsor of a warrant article should:

1. Give the main motion in writing to the Moderator before making the presentation on the warrant article (a Town Meeting Member must make the motion if the sponsor is not a Town Meeting Member)..
2. Make the main motion before giving a presentation. Include the source of funds with a motion that calls for expenditures.
3. Provide information in the presentation that is not available in **Background** material sent to Town Meeting Members or in a handout.
4. First summarize the motion and then provide a justification for the motion.
5. Limit the presentation to no more than 10 minutes no matter how many people are involved (Town Meeting can vote to extend the time limit). Since a sponsor is not guaranteed to have an opportunity to respond to the discussion on the floor before the question is called, it behooves the sponsor to include justifications and explanations in the initial speech.
6. Place handouts on the table before the day of the presentation (all handouts must include the article number, the name of the sponsor, and the date).
7. Include the following information on the first slide of a power point or overhead transparency presentation:
 - a. article number.
 - b. sponsor.
 - c. summary of the main motion
8. Insure that the visual presentation can be read from the back of the room by considering:
 - a. font size (not the same as used on handouts).
 - b. choice of colors for text and background (yellow is hard to see).
 - c. use of bullets (to focus the presentation).
 - d. readability of a table of numbers (do not duplicate what is in a handout which would be too small to see).
9. Prepare visuals in PowerPoint. (The Town will provide a computer with computer projector.)
10. Preload your PowerPoint File on the town computer (contact the IT department for help).
11. Verify that the equipment is set up and ready to go before the time of the presentation.

Appendix 4 – Recommended Power Point Slide Format

The following minimum standards are recommended for Town Meeting presentations. The recommendations are based on what projects best in Upper Nevins Hall utilizing the Town Meeting laptop and overhead projector. Currently PowerPoint 2003 is supported.

Please schedule a practice/test run prior to your presentation. Technology Services does not provide staff support at Town Meeting but is willing to provide training to the presenter by appointment. You can schedule an appointment by calling the Helpdesk, 508-620-4929.

Technology Services cannot guarantee assistance unless they are contacted by noon on the work day preceding the date of the presentation.

Presentation must be loaded on the Town Meeting laptop. (There is not sufficient time during Town Meeting to set up special equipment.).

Presentations may be emailed to ahelpdesk@framinghamma.gov or provided on diskette or CD.

Content

Minimum font size: 28 pt (32 - 44 pt is recommended)

Maximum 3-4 levels of bullets per page (2 is recommended)

Maximum number of lines per page

6-8 lines without bullets (5-6 is recommended)

8-10 lines with bullets (6-8 is recommended)

note: 10-12 lines *may* be acceptable in meeting rooms but are not easily read in Nevins Hall

Title Sheet

Main title – minimum recommended font size 54 pt

Subtitle – minimum recommended font size 40 pt

Use the Main title sheet as both the beginning and ending slide. Prior to entertaining questions, put up the main title sheet at the end. This focuses discussion on the questions and answers and not the slide.

Font

Suggested fonts: Tahoma, Arial or Verdana

Note: Examples of each of the suggested fonts are provided below:

This is Tahoma

This is Arial

This is Verdana

Choose fonts with smooth sided letters. Avoid using font/letters with "feet" such as Times New Roman.

(This line is in Times New Roman).

Keep font consistent throughout the presentation.

Shadowing is helpful in Nevins Hall, depending on the amount of text.

(This line is in Tahoma and the font is shadowed)

Colors

White background with black text - recommended for Nevins Hall

Blue background with yellow text – an alternative

(Other combinations of colors may also present well provided you keep a maximum amount of contrast between text and background. Examples include medium - dark blue or green on white and vice versa (dark on light or light on dark.)

Presentations are clearer and easier to read if the design template is kept simple.
(Avoid busy, elaborate designs with many colors).

Keep color scheme consistent throughout presentation.

Avoid using red for emphasis because red does not present well and is not easily distinguished by many individuals. Underlining, italicizing, using bold, or larger font is recommended instead.

Photographs

One, single photo per slide shows best.

Maximum number of photos per slide should not exceed 2.

Limit text to 1-3 lines if accompanied by photo.

Transition

Using the transition feature can be helpful in presenting individual points/topics within a presentation. It can also be useful in helping the audience to follow along with the speaker. Keep transitions simple.

Transitions that are busy or complicated can be more distracting than helpful.

Transition

Using the transition feature can be helpful in presenting individual points/topics within a presentation. It can also be useful in helping the audience to follow along with the speaker.

Try to keep transitions simple.

Avoid slides that are too busy or complicated, which can end up being more distracting than helpful.

Please schedule a practice/test run prior to your presentation.

You can schedule an appointment by calling the Helpdesk, 508-620-4929.

Appendix 5 – Procedures for Preparing a Town Warrant

The following describes the procedures that are followed in preparing and distributing the Town Warrant and the **Background** material. Note that a Warrant article only informs the public of the general subject of an article and does not have to be specific. The **Background** material should include the specific motions that will be made under the Warrant article, but these motions do not have to be the same as the motions made on the floor of Town Meeting. Also, after the standing committees review articles and the motions, the motions may change or the article referred back to the sponsor (equivalent to being withdrawn).

Note that it is desirable that sponsors discuss a proposed Warrant article and the **Background material with the relevant Town Meeting Standing Committee before the article is submitted to the Selectmen or before the **Background** material is submitted to the **Town Manager**.**

1. All articles and the **Background** material should be prepared in both hardcopy and machine readable form. The preferred computer format is WORD format. A warrant article is submitted to the Town Manager and the **Background** material is submitted to the **Town Manager**.
2. The head of a Town Department submits warrant articles to the Town Manager. The CFO submits the budget article and the Personnel Director submits the article on changes to job classifications and on pay scales. Town Committees and town Boards submit articles to the office of the Selectmen. The Planning Board usually submits zoning articles, although anyone may do so. The Government Study Committee usually submits bylaw changes.
3. A resident of the Town who wants to include an article in a Warrant submits the article to the office of the Selectmen for acceptance. To ensure that Selectmen accept the article, the citizen should obtain 100 signatures from registered voters of the town. The sponsor of an article may obtain a form from the **Town Manager** (or the office of the Selectmen) for this purpose. After the article is received, the signatures are transmitted to the **Town Manager** for certification. Sponsors should provide a telephone number and/or an email address where they may be contacted.
4. The Town Manager and the Town Counsel may review all warrant articles for their legality. The Town Counsel or Town Manager will contact the sponsor of an article if they have any questions or suggested changes to the wording of the warrant article.
5. After an article has been submitted, it may be withdrawn before the Selectmen accept it.
6. Before the Town Manager submits articles for the warrant to the Selectmen, the Town Manager, or his designee, will assign a number to each article for the warrant in consultation with a member of the Standing Committee on Rules. Articles should be grouped by function or by the sponsor.
7. When all warrant articles have been received, the Town Manager will present the proposed warrant to the Board of Selectmen for their acceptance. If an article sponsored by a resident is not presented with signatures, the Selectmen may reject that article for inclusion in the warrant.
8. After the Warrant is accepted, the Town Manager notifies the sponsor of each article of the article number that has been assigned. This number should be placed on all pages of the **Background** material that is submitted to the **Town Manager**.
9. The Police Chief or a Town Constable, on behalf of the Selectmen, posts the warrant in 10 places in the Town. The Town Manager publishes the warrant in a local newspaper, (Town Bylaws, Article III,

Section 1.4) and delivers the warrant to the **Town Manager** who arranges for printing and distribution. The warrant is also made available on the Town web site.

10. The Town Manager will send a copy of each article to the chair of the Standing Committee relating to the article and/or to the chair of the Government Study Committee if the article is to modify Town Bylaws. (Town Bylaws, Article III, Section 2.5.)

11. Sponsors of articles should provide the **Town Manager** with supporting information as **Background** material for an article. The **Background** material should contain the specific wording of bylaw or zoning changes. It may also contain the motions that will be made at Town Meeting. Sponsors should provide a telephone number and/or an email address where they may be contacted.

12. If a warrant article proposes to make a change to the Town bylaws, the sponsor of the article should request the Selectmen have the Town Counsel review the proposed bylaw changes for legality and appropriate wording.

13. **Town Manager** is responsible for reviewing the format of bylaw changes to insure that they conform to the format of other bylaws. The sponsor of a bylaw change should insure that the **Town Manager** receives bylaw changes in a timely manner to allow time for the **Town Manager** to discuss the bylaw with the sponsor. The **Town Manager** will contact the sponsor if changes are desired.

14. The **Town Manager** prints the **Background** material together with the warrant and sends a copy two weeks before a Town Meeting to each Town Meeting Member, the Town Moderator, the Selectmen, the Town Counsel, the Town Manager, the Division and Department Heads, the Planning Board, the School Committee, and the Finance Committee. Additional copies are made available for Town residents.

Appendix 6 – Procedures for Amending Town Bylaws

The Government Study Committee, Town Boards or Committees, as well as Framingham residents may propose an amendment to the Town Bylaws. A bylaw amendment must be placed on the warrant for an Annual or Special Town Meeting. In order for the bylaw to take effect, the bylaw change must be voted by the Town Meeting and approved by the Attorney General.

The sponsor of an amendment to the Town Bylaws should draft the change or addition to the Bylaws. If the amendment is to make an addition to the Bylaws, the sponsor should suggest the appropriate section of the Bylaws where the amendment would be placed.

The bylaw should be formatted in a manner that is consistent with the current bylaws. That is, the paragraphs of the new bylaw should be numbered using the following sequence of section numbers:

Section 1. **Underlined title in bold**

1.1 **Title in bold**

1.1.1 Subsection (usually without title)

(a) Subsection item

(i) Sub-subsection item

A list of items in any subsection shall be identified as follows:

- a. Point 1;
- b. Point 2;
- c. Point 3.

1. The sponsor of the warrant article should give a copy of the bylaw amendment to the Town Clerk to review the format and a copy to the Government Study Committee to review the substance of the amendment. Ideally, this should be done before the article is submitted to the Selectmen for inclusion in a Town Warrant.

2. In some circumstances, it may be appropriate to submit an article for a warrant that summarizes the proposed amendment to the Town Bylaws. The sponsor would then provide the actual text of the bylaw amendment as **Background** material to the warrant article. It is helpful for Town Meeting members if the **Background** material gives the actual text of the bylaw amendment that will be included in a motion for the article rather than providing the text at the time of the Town Meeting.

3. The Town Clerk will review the format of the bylaw amendment and consider where it should be placed in the Town Bylaws. The Town Clerk may send the proposed bylaw change to the Town Counsel for comment as to the legality of the amendment.

4. The Government Study Committee will schedule a meeting to discuss the proposed amendment.

5. The sponsor should meet with the Town body that is affected by the bylaw change, the **Town Manager** and the Government Study Committee to resolve any issues of concern.

6. The sponsor should provide the **Town Manager** with **Background** material for the warrant article. This should include the text of the motion that will be made. For a change to an existing bylaw the **Background** material should indicate the words being deleted and the words being added. In addition, the **Background** material should include the text of the bylaw section with the changes made.

Appendix 7 – Procedures for Sponsors of a Warrant Article

The following describes the procedures that the sponsor of an article in a Town warrant needs to follow. Note that a warrant article informs the public of the general subject of an article but does not have to be specific as to the action desired. The **Background** material can include specific motions but these motions may not be the same as the motions made on the floor of Town Meeting. Also, after a Town committee has reviewed an article and the proposed motion, the sponsor may modify the motion or may withdraw the article by making a motion to have the article referred back to the sponsor.

1. A resident of the Town who wants to include an article in a warrant submits the article to the office of the Selectmen. Sponsors should provide a telephone number and/or an email address where they may be contacted. If a sponsor wants to insure that the Selectmen accept the article, the sponsor should obtain the necessary signatures.
2. All articles and the **Background** material should be prepared in both hardcopy and machine readable form. The preferred computer format is WORD format. Refer to warrant articles from a previous Town Meeting for guidelines in preparing a warrant article.
3. It is desirable that sponsors discuss a proposed warrant article and the **Background** material with the relevant Town Meeting committee, before the article is submitted to the Selectmen or before the **Background** material is submitted to the **Town Manager**. The relevant committees are the Town Meeting Standing Committees, the Finance Committee for budgetary articles, the Capital Budget Committee for articles to procure capital items, or the Government Study Committee for bylaw changes.
4. After an article has been submitted, the sponsor may withdraw it before the Selectmen accepts it.
5. After the Selectmen accept the warrant articles, the Town Manager notifies the sponsor of each article of the article number that has been assigned. The sponsor of the article should place this number on all pages of **Background** material that is submitted to the **Town Manager** or placed on the table at Town Meeting.
6. The Town Manager sends all warrant articles to the Town Counsel for legal review. Town Counsel does not review or approve articles included on the warrant by virtue of citizen petitions, and such articles may be of doubtful legality, either in substance or in form. If the Town Counsel or Town Manager contacts the sponsor regarding the wording of the warrant article, the sponsor should respond in a timely manner.
7. The Town Manager sends a copy of each article to the chair of the Standing Committee relating to the article and/or to the chair of the Government Study Committee if the article is to modify Town bylaws. The sponsor of an article should meet with the committee to discuss the article and the motions that will be made on the article.
8. For an article that proposes a change to the Town bylaws, the sponsor should request the Selectmen have the Town Counsel review the proposed change to the Town bylaws for legality and appropriate wording.
9. Sponsors of articles should provide the **Town Manager** with supporting information as **Background** material for an article. The **Background** material should contain the specific wording of bylaw or zoning changes. It may also contain the motions that will be made at Town Meeting. Sponsors should provide the **Town Manager** with a telephone number and/or an email address where they may be contacted.

10. The Town Clerk reviews the format of bylaw changes to insure that the format is consistent with the format of other bylaws and will contact the sponsor if changes are desired. If the Clerk contacts a sponsor regarding the format of a bylaw change, the sponsor should meet with the Town Clerk and make changes to the format of the proposed bylaw.

11. The sponsor may prepare handouts to be placed on the table at the Town Meeting. These handouts must contain the article number, the sponsor's name, and the date. If the sponsor find it necessary to update material that has been previously made available to Town Meeting Members, the sponsor should make sure that it is clear how a latter handout updates or supersedes a previous handout. Handouts placed on the table before or during one session of Town Meeting will, at the end of the session of Town Meeting, be moved to a location on the table for handouts of previous sessions of Town Meeting.

12. If the sponsor of an article is not a Town Meeting Member, the sponsor should arrange for a Town Meeting Member to make a motion on the article when the Town Moderator calls up the article. Note that the subject of a motion must be in the scope of the warrant article. Refer to an Annual Town Report for guidelines in making a motion. If the sponsor want to withdraw the article, the motion is to refer the article back to the sponsor. Otherwise, a positive motion on the article should be made.

13. After the motion is made, the sponsor may make a presentation on the article to Town Meeting. The presentation by all people participating in the presentation must not exceed 10 minutes.

14. If an overhead display is used as part of the presentation, the slides should be prepared following the guidelines. (see Appendix 4 – Recommended Power Point Slide Format).

Note that the dates by which articles must be submitted to the office of the Selectmen or the date by which **Background** material must be provided ~~to the Town Clerk~~ will be publicized by the Town Manager.

Appendix 8 – Responsibilities of the Standing Committee on Rules

1. Review, monitor, document and recommend Town Meeting procedures.
2. Consider articles relating to Town Meeting procedures and make recommendations to Town Meeting.
3. Review the order of the Town Meeting warrant articles with the Town Manager or designee.
4. Send information to the sponsors of warrant articles on the guidelines for making presentations at Town Meeting.
5. Monitor the handout table at Town Meeting to separate new items from items available on a previous day or items that do not refer to articles on the warrant. Check to verify that handout material contains the following: article number, author and date.
6. Review the content of the **Background** material for warrant articles sent to Town Meeting Members by the **Town Manager** and the handouts made available at Town Meeting for clarity and relevance to warrant articles. Make suggestions to the authors of this material on how this material could be improved.
7. Update the Town Meeting handbook as needed.

Appendix 9 – Town Boards, Commissions and Committees

Appointed by the Moderator

1. Personnel Board - 5 members.
2. Finance Committee - 9 members.
3. Capital Budget Committee - 6 members appointed by the Moderator and one member appointed by the Finance Committee.
4. Real Property Committee - 10 members appointed by the Moderator and one member appointed from each of 7 specified Boards, Committees, and Commissions.
5. Technology Advisory Committee – 6 members.

~~Permanent Building Committee – 6 members appointed by the Moderator and one member appointed from the Project Oversight Authority.~~

6. Government Study Committee - 12 members

Appointed by the Selectmen

1. Board of Public Works - 3 members.
2. Board of Health - 3 members.
3. Park and Recreation Commission - 5 members.
4. Zoning Board of Appeals - 3 members plus 4 associate members.
5. Retirement Board - 5 members, 2 members appointed by Selectmen, two members elected, one member appointed by the Board, plus the Town Accountant.
6. Conservation Commission - 7 members.
7. Cushing Chapel Board of Trustees - 11 members.
8. Community Development - 15 members.
9. Community Development Block Grant - 15 members.
10. Council on Aging - 7-11 members; 3-5 members appointed by the Selectmen, 2-8 members by the Chair.
11. Cultural Council - 22 members.
12. Loring Arena Committee – 7 members
13. Metro Area Planning Council - 1 member by the Selectmen, other members from other towns.
14. MetroWest Growth Management Commission - 1 by the Selectmen, 1 by the Planning Board, other members from other towns.
15. Framingham Housing Partnership -15 members, 10 appointed by the Selectmen and 1 member each from the Planning Board, Council on Aging, Housing Authority, Chamber of Commerce and the MetroWest Affordable Housing Coalition.
16. Economic Development and Industrial Corporation - 7 members.
17. Historic District Commission - 7 members, 5 alternate members.
18. Historical Commission - 3-7 members.

19. Disability Commission - 9 members.
20. Human Relations Commission - 13 members.
21. Fair Housing Committee - 9 members, 4 ex-officio, 1 from each of the following: Housing Authority, Planning Department, Planning Board, Human Relations Commission.
22. Sign Review Study Committee - 7 members, 1 by each of the following: Selectmen, Planning Board, Zoning Board of Appeals, Standing Committee on Planning and Zoning, Building Inspector, Chamber of Commerce, the Moderator (a Town Meeting Member).
23. Ad Hoc Tax Relief Legislation Committee - 5 members, 1 each from the Selectmen, Finance Committee, Council on Aging, Moderator (Town Meeting Member), and the CFO or his designee.
24. Framingham Bicycle and Pedestrian Advisory Committee - 7 members.
25. Framingham Cochrane Rail Trail Committee - ? members.
26. Open Space and Recreation Plan Committee - ? members.
27. Framingham Traffic and Roadway Safety Committee - ? members.
28. Cochrane State Park Advisory Committee - 14 members, by Commissioner of DEM representing various interests, many nominated by Framingham Selectmen.

Appointed by the Town Manager

1. Loring Arena Committee - 7 members.
2. Local Emergency Planning Committee (LEPC) - as many members as is necessary.
3. High School Building Committee - 5 members by the Town Manager, 1 member by the Planning Board, 1 member by the School Committee.

Other Appointments

1. Planned Unit Development Design Review Committee - 7 members appointed by the Planning Board.
2. Housing Authority Member for Framingham - 1 member appointed by the Governor.
3. Associate Planning Board Member - 1 member appointed jointly by the BOS and Planning Board.

Appendix 10 – Rules and Procedures of Boards and Committees

The rules and procedures for the following committees are included in a notebook at the main library reference desk:

Board of Selectmen
 Town Meeting Standing Committee on Rules
 Government Study Committee
 Board of Health
 Loring Arena
 Sign Review Board
 Zoning Board of Appeals
 School Committee
 Park and Recreation Commission'

Budget Information Committee
 Edgell Grove Cemetery
 Board of Library Trustees
 Historical Commission
 Danforth Museum of Art
 Capital Budget Committee
 Fair Housing Committee
 Housing Mediation (Grievance) Board
 Finance Committee

Appendix 11 – Web Page Standards for Boards, Committees and Commissions

A Board, Committee or Commission may request that Technology Services set up a web page by contacting the webmaster@FraminghamMA.gov.

Boards, Committees and Commissions are encouraged to provide agendas and minutes in electronic form to the Town Clerk for posting on the Town's website www.FraminghamMA.gov

The web page will be set up using the same web page template currently in use by the Government Study Committee and the Standing Committee on Rules. For an example see http://www.framinghamma.gov/web/Government/government_study_comm_main.htm. The page will be linked from the Town Government tab on www.FraminghamMA.gov under either Boards and Commissions or Standing Committees of Town Meeting.

Each page will provide:

- A link to its Membership List as maintained by the Town Clerk.
- A link to the most current Agenda as submitted electronically to the Town Clerk using the Agenda template.
- A link to any Minutes as submitted in electronic form to the Town Clerk's office.
- A link to Policies and Procedures for the Board, Committee or Commission (This file should be provided electronically to webmaster@FraminghamMA.gov)
- An e-mail contact for the Board, Committee or Commission (if provided).
- Other materials specific to the Board, Committee or Commission as provided in electronic form suitable for posting.

Note: Technology Services reserves the right to return materials that are provided in a form not suitable for posting. Neither the Town Clerk nor Technology Services is able to provide editing services.

Procedures for Preparing Minutes

Minutes may be submitted electronically to the Town Clerk in order to be posted on the Town web site.

Minutes must include the name of the Board, Committee or Commission, meeting date and the name of the person submitting the minutes.

Minutes should include names of the attendees.

Minutes should include all votes taken.

The minutes should be prepared as follows:

- Use a standard font such as Arial or Times New Roman.
- Do not use special formatting such as tabs (underlining and bold are acceptable).
- Save as a Word document. (The document will be converted to a .pdf file for posting).

Procedures for Preparing Agendas

- Use the Agenda Template provided by Technology Services

Request an agenda template from Technology Services by emailing the request to webmaster@FraminghamMA.gov.

The template you receive as an attachment will be in .html format to facilitate posting to the web, however, it can be edited in Word. Right click on the attachment, save the template to your Desktop.

Once the file is viewable, right click and choose the option to
“Open With/ Microsoft Office Word”.

The Agenda Template has a table layout. If you open the template and don't see the tables, click on Table/Show Gridlines in Word. This format makes it easier to line up the text.

Once you have completed the agenda, click on File/Save as Web Page and make sure it has an .htm or .html extension.

- Submit the Agenda to the Town Clerk's office when scheduling the Public Meeting.
- The Agenda will then be posted as a link to the meeting from This Week's Public Meeting Calendar
- To guarantee timely posting, Agendas should be submitted to the Town Clerk's office no later than noon on the work day preceding the meeting.

Appendix 12 – Footnotes

- 1 Chapter 143 of the Acts of 1949 (Chapter 143), An Act Establishing in the Town of Framingham, Representative Town Government by Limited Town Meetings
- 2 Chapter 27 of the Acts of 1996, (Chapter 27) An Act Establishing a Selectman-Town Manager Form of Government.
- 3 Chapter 27, §12 as amended by Chapter 333 of the Acts of 1998
- 4 Town Bylaws, Article II, §9.2
- 5 MGL, Chapter 39, §10
- 6 Town Bylaws, Article III, §1.4
- 7 Town Bylaws, Article III
- 8 MGL, Chapter 39, §9
- 9 Town Bylaws, Article III, §1
- 10 Town Bylaws, Article III, §1.3
- 11 Town Bylaws, Article III, §1.3
- 12 Town Bylaws, Article III, §1.5
- 13 Chapter 143, §6
- 14 MGL, Chapter 39, §10
- 15 Chapter 143, §4
- 16 Town Bylaws, Article III, §1.1.
- 17 Town Bylaws, Article III, §1.2
- 18 Chapter 143, §2, as amended Under Chapters 207 and 488 of the Acts of 1976
- 19 MGL, Chapter 143, §3
- 20 MGL, Chapter 143, §5 as amended by the Acts of 2004
- 21 MGL, Chapter 39, §15
- 22 MGL, Chapter 39, §17
- 23 Town Bylaws, Article II, §3
- 24 Chapter 27, §3 and §4
- 25 Chapter 27, §5 through §9
- 26 Chapter 27
- 27 Town Bylaws, Article IV
- 28 Town Bylaws, Article II, §19
- 29 Town Bylaws, Article II, §5
- 30 Board of Selectmen, Policy on Access to Town Counsel, January 25, 2002
- 31 MGL, Chapter 39, §23B
- 32 Town Bylaw, Article I, §5.10 and §5.11
- 33 Town Bylaws, Article II, §10
- 34 MGL, Chapter 39, §16
- 35 Town Bylaws, Article II, §10.3
- 36 Town Bylaws, Article ?, §?
- 37 Town Bylaws, Article III, §2
- 38 Town Bylaws, Article IV
- 39 Town Bylaws, Article II, §11
- 40 Town Bylaws, Article II, §11.6
- 41 Town Bylaws, Article 1, §2.3
- 42 MGL, Chapter 39, §§23A,23B, 23C, and 24
- 43 MGL, Chapter 39, §23B Open meetings of governmental bodies
- 44 MGL, Chapter 40, §32
- 45 Town Bylaws, Article III, §1.11
- 46 Town Bylaws, Article III, §1.9.1
- 47 MGL, Chapter 39, §23B
- 48 Town Bylaws, Article III, §1.8
- 49 Chapter 143, §5a, as amended by Chapter 338 of the Acts of 2002
- 50 Article II, §10.7
- 51 Town Bylaws, Article 3, §1.17, 2004
- 52 Town Meeting Time, p.119
- 53 Town Bylaws, Article III, §1.6
- 54 Town Bylaws, Article III, §1.7
- 55 Town Bylaws, Article III, §2.2
- 56 This § is consistent with and implements the vote of Town Meeting taken on Article #51 of the 1971 Annual Warrant.
- 57 Acts of 1978, Chapter 367, §70C
- 58 MGL. Chapter 70, §1
- 59 Acts of 1972, Chapter 766, amended by Acts of 1978, Chapter 367, §70K
- 60 MGL, Chapter 90, §34
- 61 MGL. Chapter 44 §31C
- 62 MGL. Chapter 40, §6
- 63 MGL. Chapter 44 §53E½
- 64 MGL. Chapter 40, §5B